



Environmental Planning Commission

***Agenda Number: 8
Project Number: 1000264
Case Number(s): AC-09-07/07EPC-40097
December 17, 2009***

Supplemental Staff Report

<i>Agent</i>	Timothy Flynn-O'Brien
<i>Applicant</i>	West Bluff Center LLC
<i>Request(s)</i>	Remand from City Council Site Development Plan for Building Permit Amendment
<i>Legal Description</i>	Tracts 10, 11 and 12, West Bluff Center
<i>Location</i>	Coors Blvd. NW, north of Ouray Rd.
<i>Size</i>	Approximately 6 acres
<i>Existing Zoning</i>	C-2 (SC)
<i>Proposed Zoning</i>	same

Staff Recommendation

DEFERRAL of AC-09-07/07EPC-40097 for 60 days, to the February 18, 2010 EPC hearing.

Staff Planner

Carol Toffaleti, Planner

Summary of Analysis

This is a remand from the City Council pursuant to the appeal of an EPC approval by the West Bluff and Grande Heights NAs and the West Side Coalition (AC-09-7, 8/4/2009). The subject site forms the middle part of the West Bluff shopping center. The request was to add a tower with a belfry to an existing building in the shopping center, with building-mounted signs (electronic display panels). An existing free-standing sign would be removed.

The applicant appealed the City Council's remand to District Court on Aug. 27, 2009. The EPC hearing of the remand had been scheduled for the Oct. 15, 2009 EPC hearing. It was deferred for 60 days at the applicant's request, with concurrence from the NAs and Coalition (appellants in AC-09-07), due to the pending litigation and the parties' desire to use mediation to resolve differences over the proposal approved by the EPC.

The City has entered an agreement with all the interested parties to defer the remand proceedings until the conclusion of the District Court appeal, which is not expected until after the December EPC hearing. Therefore the City Legal Department advises the EPC not to proceed at this time, as it would violate that agreement.

This report is supplemental to the staff reports for project #1000264, case #07EPC-40097, dated Jan. 17*, March 20, May 16, July 18, and October 17, 2008 and Feb. 19* and October 15, 2009, and the record of AC-09-07

[* denotes full staff report]
